

NC 44
11

DAVIDSON COUNTY NC
Book 1820
Pages 1052-1062
FILED 11 PAGE(S)
10/04/2007 10:18 AM
DAVID T RICKARD
Register Of Deeds

NOTE: THE SPACE ABOVE IS FOR THE REGISTER OF DEEDS USE
THIS PAGE IS PROVIDED FOR RECORDATION PURPOSES. THE ENTIRE DOCUMENT,
INCLUDING THIS PAGE, SHOULD BE RECORDED IN THE GRANTOR INDEX UNDER
THE NAME OF THE LANDOWNER FOR THE PARCEL OF PROPERTY LOCATED IN
DAVIDSON COUNTY AND SAID PROPERTY BEING OWNED BY DAVIDSON COUNTY
AND FURTHER IDENTIFIED BY THE DEED RECORDED IN BOOK: 1342 PAGE 1782.

THE PURPOSE OF THIS RECORDATION IS TO NOTIFY FUTURE BUYERS OF SAID
PROPERTY THAT A LANDFILL EXISTS ON THE PROPERTY.

00037974



NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

October 1, 2007

MAIL TO

Charles Brushwood
Davidson County Integrated Solid Waste
220 Landfill Road
Lexington, NC 27292

Re: Recordation of Permit to Construct (Phase 2 Area 1) with Register of Deeds
Davidson County MSW Lined Landfill
Davidson County, North Carolina
Permit No. 29-06
Doc ID No. RCO3136

Dear Mr. Brushwood:

Attached is documentation to file with the Davidson County Register of Deeds for the property identified under Davidson County Deed Book 1342 Page 1782 consisting of 364.78 acres on Turner Road on which the above referenced municipal solid waste landfill facility is located. A copy of the recordation showing the book and page number must then be forwarded to the Division for the Permit to Construct to be valid.

Please note that this requirement is contained in Part 1 Condition 2 of the attached permit as presented here:

This permit shall not be effective unless the certified copy is filed in the Register of Deeds office and indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located. The certified copy of the permit, affixed with the Register's seal and the date, book, and page number of recording must be returned to the Division of Solid Waste Management within 30 (thirty) working days from date received to:

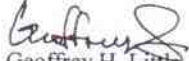
Solid Waste Section
1646 Mail Service Center
Raleigh NC 27699-1646
ATTN: Edward Mussler



1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Telephone 919-508-8400 \ Fax 919-733-4810 \ Internet <http://wastenotnc.org>
An Equal Opportunity / Affirmative Action Employer - Printed on Dual Purpose Paper

The Division appreciates your efforts and cooperation in this matter. If you have questions about correspondence or questions regarding other permitting issues, please contact either me at 919.508.8498 or Hugh Jernigan, Waste Management Specialist for the facility, at 336.771.5093.

Sincerely,



Geoffrey H. Little
Permit Engineer

c: Paul Crissman, DWM Deb Aja, DWM
Ed Mussler, DWM Hugh Jernigan, DWM
Pieter Scheer, Richardson, Smith, Gardner and Associates

Enclosure



Davidson County
Integrated Solid Waste Management
Facility Permit No: 29-06
Permit to Construct Phase 2 Area 1
Page 1 of 7
RCO2881
September 28, 2007

NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Dexter R. Matthews, Director Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT

MUNICIPAL SOLID WASTE FACILITY
PERMIT NO. 29-06

Davidson County Integrated Solid Waste Management
is hereby issued a
Permit to Construct

A Municipal Solid Waste Landfill
Phase 2 Area 1

located on Roy Lopp Road, North Carolina State Road 2014, Davidson County, North Carolina, in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The facility is located and described by the legal description found in the approved application.

Edward F. Mussler III, P.E.,
cn=Edward F. Mussler III, P.
E., c=US, o=Division of Waste
Management, ou=Solid Waste
Section, email=ed.
mussler@ncmail.net
I have reviewed this document
and am approving this
document
2007.09.28 13:34:48 -04'00'

Edward F. Mussler, III, P.E.,
Permitting Branch Supervisor
Permitting Branch
Solid Waste Section

ATTACHMENT 1

Part A Permitting History

Permit Type	Date Issued
Original Issuance MSWLF Phase 1 Area 3	October 8, 1993
Modification No. 1 MSWLF Phase 1 Area 3	June 22, 1994
Modification No. 2 MSWLF Phase 1 Area 3	July 14, 1994
Permit Renewal MSWLF Phase 1 Area 1	February 20, 1995
Amendment 1 MSWLF Phase 1 Area 2	August 18, 1999
Amendment 2 CDLF Phase 1	October 2, 2000
Amendment 3 CDLF Phase 2	September 8, 2005
Amendment 4 MSWLF Phase 2 Area 1	July 30, 2007

Part B List of Documents for the Approved Facility Plan

Part I: General Facility

The listing for General Facility Documents numbered 1 through 25 is contained in previous permits.

26. Davidson County Landfill Partial Closure Construction Quality Assurance Certification Report. Prepared and Submitted by: Joyce Engineering. November 2005. (Document Id. No. RCO724).

Part II: Municipal Solid Waste Landfill

Phase 1 Area 2 - Permit Amendment

1. Volume I, Application for Permit Amendment, Davidson County Landfill, prepared by Joyce Engineering, Inc., dated January, 1999, latest revision.
2. Volume II, Application for Permit Amendment, Davidson County Landfill, prepared by Joyce Engineering, Inc., dated January, 1999, latest revision.
3. Design Hydrogeologic Report, Subtitle-D Municipal Solid Waste Landfill Area 2 prepared by G.N. Richardson & Associates dated June 1998.

Phase 2 Area 1 – New Facility

4. Site Suitability Application, Davidson County Phase 2 Landfill. Prepared by: G.N. Richardson & Associates, Inc., Raleigh, NC. May 2006. Note: Approved Option A. (RCO1035)
5. Permit to Construct Application, Volumes 1 and 2 for Phase 2 Area 1. Prepared by: Richardson Smith Gardner & Associates, Raleigh, NC. February 2007. (RCO2479)

6. Property identified under Davidson County Deed Book 1342 Page 1782 consisting of 364.78 acres located on Turner Road.

Part III: Construction and Demolition Landfill

The listing for C&DLF Documents numbered 41 through 43 is contained in previous permits

44. *Permit to Construct Application, Davidson County C&D Landfill Phase 2, Lexington, North Carolina.* April 2005, revised July 1, 2005, and subsequent supporting hydrogeological information received on August 23, 2005, and August 30, 2005. Prepared by: G. N. Richardson & Associates, Raleigh NC. Prepared for: Davidson County. The application includes 11 plan sheets entitled Construction and Demolition Debris (C&D) Landfill Phase 2 Engineering Drawings bearing a certification date on each page of 4/29/05.
45. *Construction Quality Assurance Report, Davidson County C&D Landfill – Phase 2.* Prepared by: G. N. Richardson & Associates, Raleigh, NC. February 2006.

Part IV: Land Clearing And Inert Debris Landfill

Not Applicable

Part V: Yard Waste

Not Applicable

Part VI: Miscellaneous Facilities

Not Applicable

Household Hazardous Waste Documents

43. *Application for Permanent HHW Facility.* Submitted by: Davidson County. May 15, 2001. Revised June 22, 2001.

Mobile Home Recycling Documents

44. *Operations Manual, Davidson County C&D Landfill - Mobile Home Deconstruction.* Prepared by: G.N. Richardson & Associates, Raleigh, NC. May 2002.

- End of Section -

ATTACHMENT 2
Conditions of Permit to Construct

Part I General Facility Conditions

1. This permit approves the Facility Plan that defines the comprehensive development of the facility including the total municipal solid waste landfill capacity, the municipal solid waste stream, all onsite solid waste management facilities and related facility infrastructure in accordance with 15 NCAC 13B .1619.
 - a. The approved plans are described in Attachment 1, "List of Documents for the Approved Facility Plan."
 - b. Where discrepancies may exist, the most recent approved submittal shall prevail unless specifically addressed in these Conditions of Permit.
2. This permit shall not be effective unless the certified copy is filed in the Register of Deeds office and indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located. The certified copy of the permit, affixed with the Register's seal and the date, book, and page number of recording must be returned to the Division of Solid Waste Management within 30 (thirty) working days from date received to:

Solid Waste Section
1646 Mail Service Center
Raleigh NC 27699-1646
ATTN: Edward Mussler
3. Should this municipal solid waste landfill facility be sold, leased, conveyed, or transferred in any manner, the deed or other instrument of transfer must contain in the description section in no smaller type than that used in the body of the deed or instrument a statement that the property has been used as a sanitary landfill and a reference by book and page number to the recordation of the permit.
4. The landfill is permitted to dispose solid waste that meets the definition provided in North Carolina General Statutes Chapter 130A-290(a)(35) and to accept for disposal solid waste generated from within Davidson County except as otherwise prohibited by North Carolina General Statutes Article 9 of Chapter 130A and rules adopted by the Commission for Health Services.
5. The owner or operator of the landfill facility must not knowingly dispose municipal solid waste that is generated within the boundaries of a unit of local government that by ordinance:

- a. Prohibits generators or collectors of municipal solid waste from disposing of that type or form of municipal solid waste.
 - b. Requires generators or collectors of municipal solid waste to recycle that type or form of municipal solid waste.
6. The facility is subject to the requirements of all applicable sections of the most recent version of the North Carolina Solid Waste Management Rules 15A NCAC 13B and the specific conditions contained herein.
7. This facility must conform to the specific conditions set forth in this permit and the provisions of 15A NCAC 13B .1604(b)(2).
8. This facility permit is issued under the criteria set forth in 15A NCAC 13B .1603(a)(2). Any facility changes that are in conflict with the criteria established in 15A NCAC 13B .1603(a)(1) may require a new permit.
9. Davidson County must submit an amendment to this permit pursuant to 15A NCAC 13B .1603(a)(2) for any subsequent phase of development.

Facility Construction Conditions

10. Davidson County must conduct a preconstruction meeting, on site, prior to initiating construction of any unit/cell at the site and must provide a written notice to the Solid Waste Section 10 days prior to that meeting.
11. Construction of all solid waste management units within this facility must be in accordance with the pertinent approved plans and only for those phases of development approved for construction as described in Attachment 1, 'Approved Documents.'
12. Additional conditions and revisions of the approved documents or changes during construction of any landfill unit/cell require approval by the North Carolina Solid Waste Section.
13. Any modifications in sedimentation and erosion control activities require approval by the Land Quality Section. The Solid Waste Section must be notified of any sedimentation and erosion control modifications.

Facility Pre-Operative Conditions

14. Prior to receiving waste at any unit of this facility, a Permit to Operate must be obtained from the Solid Waste Section in accordance with 15A NCAC 13B .0201(b).
15. The following requirements must be met prior to waste disposal for any unit of this facility:
 - a. Site preparation must be in accordance with the approved plans and the conditions specified herein.
 - b. The permittee must arrange for a site inspection of the facility by a representative of the Solid Waste Section. The purpose of the inspection will be for the operator to demonstrate that the facility construction is consistent with approved plans and specifications.
 - c. Prior to waste disposal in any new unit or cell, the permittee must contact the appropriate regional Solid Waste Management Specialist to determine whether the Solid Waste Section chooses to hold a pre-operative meeting with key landfill personnel and representatives of the Solid Waste Section.

PART II Municipal Landfill Unit Specific Conditions

1. The new facility is approved for a total gross design volume of 9,014,020 cubic yards; however, only Option A is approved for construction at this time. Additional data may be presented to support the Option B alternative. Gross volume is measured from the top of the protective cover to the top of final cover.
2. Development of Phase 2 must only be in accordance with the Division approved plans and consistent with the landfill capacity requested and approved in the Facility Report submitted with the Permit to Construct Application dated February 2007. The construction of Phase 2 is permitted for approximately

Landfill Unit	Area (acres)	Gross Capacity		Life Expectancy (years)
		(cubic yards)	(tons)	
Phase 2 Area 1	14.7	903,896	582,423	5.3
Phase 2 Area 2	12.8	900,414	575,940	5.0
Phase 2 Area 3	17.1	1,526,949	975,280	7.9
Phase 2 Areas 4-5 (Option A)	19.0	2,309,242	1,412,880	10.4
Phase 2 Areas 4-6 (Option B)	28.7	3,453,458	2,139,058	15.5
Total (Option A)	63.6	7,869,804	4,879,128	30.7
Total (Option B)	73.3	9,014,020	5,605,306	35.8

3. The first approved phase of construction covered under this Permit to Construct is Phase 2 Area 1. Based on an average disposal rate of 354.5 tons per day (310 working days per year), the unit is expected to provide disposal capacity for 5.3 years.

Pre-Operational Conditions

4. Ground water monitoring wells and surface water sampling locations must be sampled for the Appendix I constituent list prior to issuing the Permit to Operate.

Construction Conditions

5. The owner's geologist must:
 - a. Examine the cell excavation and note any pertinent geologic features exposed during the construction process.
 - b. Notify the Solid Waste Section Hydrogeologist in writing of the subgrade conditions and whether the subgrade conditions will adversely affect the design, construction or operation of the unit. This must be done prior to the placement of any liner materials.
 - c. Be present to supervise and document all new monitoring well installations.
6. Any modification to the approved water quality monitoring plan must be submitted to the Section Hydrogeologist for review and approval. Documentation of all changes to the approved plan must be submitted with the well construction records.
7. For each new monitoring well constructed, a well construction record, well schematic, boring log and a description of well development activities must be submitted to the Section within 30 days upon well completion.

- End of Section -

PART III CONSTRUCTION AND DEMOLITION DEBRIS UNIT SPECIFIC CONDITIONS
(NOT APPLICABLE)

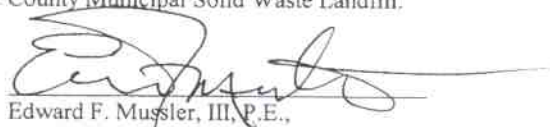
PART IV LAND CLEARING AND INERT DEBRIS UNIT SPECIFIC CONDITIONS
(NOT APPLICABLE)

PART V YARD WASTE UNIT SPECIFIC CONDITIONS
(NOT APPLICABLE)

PART VI MISCELLANEOUS TREATMENT AND PROCESSING UNIT SPECIFIC CONDITIONS
(Specify Unit Type) (NOT APPLICABLE)

- End of Permit Conditions -

I do hereby certify that the attached PERMIT TO CONSTRUCT is an exact and true original of PERMIT NUMBER 29-06 for the Davidson County Municipal Solid Waste Landfill.



Edward F. Mussler, III, P.E.,
Permitting Branch Supervisor
Solid Waste Section
Division of Waste Management

North Carolina

Wake County

I, Betty Jo Stanfield, Notary Public for Wake County, North Carolina,
do hereby certify that Edward F. Mussler, III, Supervisor of the Permitting Branch, Solid Waste
Section, Division of Waste Management, NCDENR, personally appeared before me this day and
acknowledge the due execution of the foregoing instrument.

Witness my hand and official seal,

This the 28 day of September, 2007.

OFFICIAL SEAL



Betty Jo Stanfield
NOTARY PUBLIC

My commission expires December 29, 2009.

Note to Register of Deeds: This certified original permit shall be recorded by the Register of Deeds and indexed in the grantor index under the name of the land owner. The certified original affixed with the Register's seal and the date, book, and page number of recording shall be returned to the Permitting Branch Supervisor, Division of Waste Management, Solid Waste Section, 1646 Mail Service Center, Raleigh, NC 27699-1646.